



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
June 3, 2002**

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14-02

DMB:dmb

The meeting was called to order at 9 a.m., with all Members being present, and with Chairman Hanley presiding.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTERS

1. **ANNUAL FAIRFAX COUNTY FAIR, CELEBRATE FAIRFAX** (Tape 1)

Chairman Hanley announced that the Annual Fairfax County Fair, *Celebrate Fairfax*, will be held at the Fairfax County Government Center on Friday, June 7 through Sunday, June 9, 2002.

2. **MOMENT OF SILENCE** (Tape 1)

Supervisor Kauffman asked everyone to remember in thoughts and prayers the family of Mr. Lynnwood S. Fitzgerald, Sr. who recently died. Mr. Fitzgerald was a long-time Franconia resident and community activist.

3. **INTRODUCTION OF NEW INTERN** (Tape 1)

Supervisor Mendelsohn introduced Brian Winterhalter, a new intern in his office. Supervisor Mendelsohn and the Board warmly welcomed him to the Board Auditorium.

4. **PRESENTATION OF COLORS BY THE THIRD US INFANTRY CONTINENTAL COLOR GUARD** (Tape 1)

Chairman Hanley announced that the Third US Army Infantry Continental Color Guard would now present the colors.

AGENDA ITEMS

5. **CERTIFICATE OF RECOGNITION PRESENTED TO THE UNITED STATES ARMY** (Tape 1)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#9.)

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE 2002 LORD AND LADY FAIRFAX HONOREES AND THE 2002 CELEBRATE FAIRFAX SPONSORS** (Tape 1)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#8.)

7. **CERTIFICATE OF RECOGNITION PRESENTED TO THE JOYCE KILMER MIDDLE SCHOOL 2001-2002 NATIONAL ENGINEERS WEEK FUTURE CITY TEAM AND COACHING STAFF** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to the Joyce Kilmer Middle School 2001-2002 National Engineers Week Future City award winning team and coaching staff for their accomplishment. Supervisor Connolly seconded the motion and it carried by unanimous vote.

8. **CERTIFICATES OF RECOGNITION PRESENTED TO THE 2002 LORD AND LADY FAIRFAX HONOREES AND THE 2002 CELEBRATE FAIRFAX SPONSORS** (Tape 1)

Chairman Hanley presented the Certificates of Recognition to the 2002 Lord and Lady Fairfax Honorees.

Chairman's Nominees

- Mr. Robert Lyndon Howell
- Ms. Judith O. Mueller

Mount Vernon District

- Mr. Charles M. "Charlie" Creighton
- Ms. Beryl A. Harman

Braddock District

- Mr. Chet McLaren
- Ms. Norma Heck

Providence District

- Mr. Sloan Knecht
- Ms. Joanne Malone

Sully District

- Mr. Anthony F. Dorrzapf, Jr.
- Ms. Lynn G. Terhar

Mason District

- Mr. William LaLiberte
- Ms. Mary Lee Di Spirito

Hunter Mill District

- Mr. Robert Dim
- Ms. Rena Baker

Lee District

- Mr. Robert Michie
- Ms. Elizabeth "Skeeter" Scheid

Springfield District

- Mr. Kenneth G. Feng
- Ms. Elizabeth T. Bradsher

Dranesville District

- Mr. John DeNoyer
- Ms. Ann Csonka

(NOTE: Later in the meeting the Board recognized the *Celebrate Fairfax* sponsors. See Clerk's Summary Item CL#10.)

9. **CERTIFICATE OF RECOGNITION PRESENTED TO THE UNITED STATES ARMY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate to Recognition presented to the United States Army on the occasion of its 227th Anniversary. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

10. **RECOGNITION OF CELEBRATE FAIRFAX SPONSORS** (Tape 1)

Chairman Hanley recognized Bruce McLeod, Chairman of *Celebrate Fairfax* and thanked him and all of the sponsors of the Fairfax Fair for their contributions. Mr. McLeod introduced Virginia State Delegate James M. Scott whose vision and action made possible the Fairfax County Fair.

ADDITIONAL BOARD MATTERS

11. **PRESENTATION OF THE FIRST JAMES M. SCOTT COMMUNITY SPIRIT AWARD** (Tape 1)

Delegate Scott presented the first James M. Scott Community Spirit Award to Michael Ranney, representing Great American Restaurants.

12. **APPRECIATION TO MS. LINDA BESTIMT, EXECUTIVE DIRECTOR OF CELEBRATE FAIRFAX** (Tape 1)

Chairman Hanley thanked Linda Bestimt, Executive Director of *Celebrate Fairfax* for her efforts in working year-round on *Celebrate Fairfax* and *Fall for Fairfax*.

AGENDA ITEMS

13. **CERTIFICATES OF RECOGNITION PRESENTED TO MS. CHRISTINA GHANI AND THE GIRLS' TRACK TEAM OF LAKE BRADDOCK SECONDARY SCHOOL** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Christina Ghani of Lake Braddock Secondary School for her accomplishments. Chairman Hanley seconded the motion and it carried by unanimous vote.

Supervisor Bulova moved approval of the Certificate of Recognition presented to the Girls' Track Team of Lake Braddock Secondary School for its accomplishments. Chairman Hanley seconded the motion and it carried by unanimous vote.

14. **PROCLAMATION DESIGNATING JUNE 15 AS "HEPATITIS AWARENESS DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate June 15 as "*Hepatitis Awareness Day*" in Fairfax County. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

15. **10 A.M. – PRESENTATION BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA)** (Tapes 1-2)

(BACs) Harry N. Doyle, Chairman, Fairfax County EDA, presented the report. Discussion ensued with input from Dr. Gerald L. Gordon, President, Fairfax County EDA, and Anthony H. Griffin, County Executive.

Supervisor Gross asked unanimous consent that the Board direct staff to provide the Board with a copy of Mr. Doyle's presentation. Without objection, it was so ordered.

SBE:sbe

16. **ADMINISTRATIVE ITEMS** (Tape 3)

Supervisor Connolly moved approval of the Administrative Items. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

ADMIN 1 – AUTHORIZATION FOR THE FAIRFAX COUNTY OFFICE OF THE SHERIFF (FCOS) TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) FOR GRANT FUNDING FOR THE TRIAD CRIME PREVENTION PROGRAM GRANT

Authorized FCOS to apply for the Triad Crime Prevention Program in the amount of \$6,699 from the DCJS. Funding for this program will benefit Fairfax County senior citizens by providing educational materials that include crime prevention methods, information on available to services, thereby reducing the number of criminal victimization's of older citizens in the community and improving their quality of life. \$5,024 is from the grantor, and \$1,675 is the required local cash match.

**ADMIN 2 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02089 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO
ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF
SOCIAL SERVICES (VDSS) TO CONTINUE THE FRAUD FREE
PROGRAM**

- (SAR) Approved SAR AS 02089 for DFS in the amount of \$299,975 from the VDSS. This funding will continue the fraud reduction and elimination efforts through the Fraud FREE program. No local cash match is required.

**ADMIN 3 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02085 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO
ACCEPT GRANT FUNDS FROM THE FEDERAL EMERGENCY
MANAGEMENT AGENCY (FEMA) FOR URBAN SEARCH AND
RESCUE ACTIVITIES RELATED TO THE TERRORIST EVENTS OF
SEPTEMBER 11, 2001**

- (SAR) Approved SAR AS 02085 in the amount of \$678,727 for the FRD to provide urban search and rescue activities as required by FEMA. No local cash match is required.

**ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 03004 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO
ACCEPT GRANT FUNDS FROM THE FEDERAL EMERGENCY
MANAGEMENT AGENCY TO SUPPORT THE URBAN SEARCH AND
RESCUE PROGRAM**

- (SAR) Approved SAR AS 03004 in the amount of \$150,000 for the FRD to continue participation in the National Urban Search and Rescue Response. No local cash match is required.

**ADMIN 5 – APPROVAL OF DEED OF ASSIGNMENT OF STORM
SEWER EASEMENT SEGMENT (SULLY DISTRICT)**

Authorized the execution of the deed of assignment between the Board of Supervisors and the Virginia Department of Transportation.

**ADMIN 6 – STREETS INTO THE SECONDARY SYSTEM
(DRANESVILLE DISTRICT)**

- (R) Approved the request that the streets listed below be accepted into the State Secondary System:

| <u>Subdivision</u> | <u>District</u> | <u>Street</u> |
|--------------------|-----------------|----------------------------|
| Walden of McLean | Dranesville | Walden Drive Route 3615 |

Walden Woods Court
Columbus Hall Court

ADMIN 7 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DRANESVILLE, HUNTER MILL, LEE, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Application FSA-66-2 to August 2, 2002
- Application FSA-P96-36-1 to August 3, 2002
- Application FSA-H96-22-1 to August 4, 2002
- Application FS-Y02-5 to August 8, 2002
- Application FSA-H96-38-2 to August 8, 2002
- Application FSA-73-1 to August 10, 2002
- Application 2232-S02-12 to October 7, 2002

ADMIN 8 – AUTHORIZATION FOR FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO APPLY TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE HEALTHY HOMES DEMONSTRATION PROGRAM, RESIDENT OPPORTUNITIES AND SELF SUFFICIENCY (ROSS) NEIGHBORHOOD NETWORKS PROGRAM, AND MAINSTREAM HOUSING OPPORTUNITIES FOR PERSONS WITH DISABILITIES

Authorized FCRHA to apply to HUD for the:

- Healthy Homes Demonstration Program
- ROSS Neighborhood Networks Program
- Mainstream Housing Opportunities for Persons with Disabilities

No local cash match is required for the Healthy Homes Demonstration Program and the Mainstream Housing Opportunities for Persons with Disabilities Grant. The ROSS Neighborhood Networks Program requires a 25 percent in-kind or cash match. This in-kind will be provided by Housing and Community Development's Information Systems and Services staff, volunteer time leveraged

through the non-profit partner, and other supplies and services to be leveraged through private contributions.

ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03005 FOR THE CIRCUIT COURT TO ACCEPT NEUTRAL CASE EVALUATION/ALTERNATIVE DISPUTE (NCE/ADR) FUNDING FROM THE SUPREME COURT OF VIRGINIA

- (SAR) Approved SAR AS 03005 in the amount of \$40,426 for the eighth year of the NCE/ADR grant. No local cash match is required.

ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02088 FOR THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO ACCEPT FUNDS FROM THE US DEPARTMENT OF AGRICULTURE (USDA), FOREST SERVICE FOR TREE COVER ANALYSIS

- (SAR) Approved SAR AS 02088 in the amount of \$67,800 from the USDA, Forest Service, for DPWES to conduct a tree cover analysis in Northern Virginia in support of Recommendation Number 37 of the Tree Preservation Task Force.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX M, ESTABLISHING THE VANTAGE HILL RESTRICTED PARKING DISTRICT AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 1, 2002, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix M, to establish the Vantage Hill RPD, District 3, as part of the R-TAP, encompassing Vantage Hill Road from Wainwright Drive to the cul-de-sac, inclusive.

ADMIN 12 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02090 FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT (JDRDC) TO ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) FOR EQUIPMENT AND SUPPLIES

- (SAR) Approved SAR AS 02090 in the amount of \$41,288 from DCJS. This one time special grant will enable JDRDC to provide equipment and supplies to support probation supervision activities.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), REGARDING PRELIMINARY SUBDIVISION PLATS

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on June 20, 2002, and before the Board on **July 1, 2002, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), regarding preliminary subdivision plats.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON FALL BOND REFERENDUMS FOR PARKS AND PARK FACILITIES AND PUBLIC SAFETY

(BONDS)

- (A)(R) Authorized the advertisement of a public hearing to be held before the Board on **June 17, 2002, at 5 p.m.** on proposed bond referendums for Parks and Park Facilities and Public Safety to be held at the general election on November 5, 2002.

17. **A-1 – PROPOSED RESOLUTION DECLINING TENANCY IN COMMON FOR SCHOOL BOARD PROPERTY** (Tape 3)

- (R) Following discussion with input from Edward L. Long, Chief Financial Officer, Supervisor Connolly moved that the Board concur in the recommendation of staff and adopt the Resolution electing not to acquire title in common, to the Fairfax County Public School Board's property for which the County incurs a financial obligation, as prescribed by the *Code of Virginia*, Section 15.2-1800.1. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

18. **A-2 – FINAL PUBLIC HEARING FOR VIRGINIA DEPARTMENT OF TRANSPORTATION'S (VDOT) SIX-YEAR PROGRAM FOR HIGHWAY AND TRANSIT FUNDS FOR FISCAL YEAR (FY) 2003 THROUGH FY 2008** (Tape 3)

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve the letter to Secretary Whittington Clement which will serve as the testimony from the Board. Supervisor Bulova seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to rewrite the letter to exclude the attachment and discuss only the body of the letter. This was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Kauffman asked to amend the motion to direct staff to revise the letter as follows:

- Specifically mention on page two of the draft letter the Richmond Highway project between the two Route 235 intersections as one of the projects that was eliminated from the Six-Year Program altogether.
- Include on page three of the draft letter, prior to the “in addition” paragraph, a mention of the Fairfax County Parkway acknowledging the fact that it is funded, but requesting VDOT to do everything possible to expedite the completion of the missing section.

This was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote.

19. **C-1 – NATIONAL ASSOCIATION OF COUNTIES' (NACo) ANNUAL CONFERENCE** (Tape 3)

The Board next considered an item contained in the Board Agenda dated June 3, 2002, regarding Board designation of a voting and alternate delegate to represent the County at the NACo Annual Conference.

Supervisor Hudgins moved that the Board designate the following delegates for the NACo Annual Conference:

- Supervisor Hyland as the voting delegate
- Supervisor Gross as the alternate delegate

Supervisor Bulova seconded the motion and it carried by unanimous vote.

20. **I-1 – CONTRACT AWARD – DESIGN SERVICES FOR TRAILS AND STREAM CROSSINGS IN ACCOTINK STREAM VALLEY PARK (LAKE ACCOTINK DAM TO HUNTER VILLAGE DRIVE) (BRADDOCK, LEE, AND SPRINGFIELD DISTRICTS)** (Tape 3)

The Board next considered an item contained in the Board Agenda dated June 3, 2002, requesting authorization for staff to award a contract to Burgess and Niple, Incorporated, in the amount of \$221,230.98 for design, permitting, bidding, construction administration, and supplemental services for the design of a stream valley trail in Accotink Stream Valley Park.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTER**21. REQUEST FOR A REPORT ON THE STATUS OF THE CROSS COUNTY TRAIL (Tape 3)**

Supervisor Connolly asked unanimous consent that the Board direct the Park Authority to provide the Board with a report on the status of the Cross County Trail prior to the Board's August recess. Without objection, it was so ordered.

AGENDA ITEMS**22. I-2 – CONTRACT AWARD – WATER QUALITY MONITORING FOR KINGSTOWNE AND SOUTH VAN DORN STREET EXTENSION (LEE DISTRICT) (Tape 3)**

The Board next considered an item contained in the Board Agenda dated June 3, 2002, requesting authorization for staff to award a contract to Dewberry and Davis LLC in the amount of \$121,000 to provide consulting engineering services related to the Kingstowne Environmental Monitoring Program.

Following a brief discussion, the staff was directed administratively to proceed as proposed.

23. I-3 – INCREASE TO THE CONTRACT CEILING FOR CIBER, INCORPORATED – EXPERT ASSISTANCE IN COMPUTER SYSTEMS PLANNING AND APPLICATION DEVELOPMENT OF THE LAND DEVELOPMENT SYSTEM FOR THE PLANNING AND DEVELOPMENT AGENCIES (Tape 3)

The Board next considered an item contained in the Board Agenda dated June 3, 2002, requesting authorization for staff to:

- Increase the contract ceiling by \$3,000,000.
- Conclude negotiations and execute a contract amendment with Ciber, Incorporated.

Following discussion, with input from Anthony H. Griffin, County Executive. Supervisor Connolly asked unanimous consent that the Board direct staff to provide a report on efforts to match the site plan number with the rezoning application number. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

NV: nv

24. **10:45 A.M. – SPECIAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (Tape 4)

Following input from David P. Bobzien, County Attorney, at 10:55 a.m., Chairman Hanley called to order the special meeting of the Fairfax County Solid Waste Authority to consider a settlement agreement between Covanta Fairfax, Incorporated, and Virginia Electric and Power Company d/b/a/ Dominion Virginia Power.

Supervisor Connolly moved that the Solid Waste Authority recess and go into closed session for discussion and consideration of the settlement agreement between Covanta Fairfax, Incorporated, and Virginia Electric and Power Company d/b/a/ Dominion Virginia Power. Supervisor Bulova and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

At 10:55 a.m., Chairman Hanley announced that the special meeting of the Solid Waste Authority was in recess and would resume in closed session at the same time the Board convened its regular closed session.

(NOTE: Later in the meeting additional action was taken regarding this item. See Clerk's Summary Items CL#71 and CL#72.)

ADDITIONAL BOARD MATTERS

25. **UPDATE ON THE OCCOQUAN WATERSHED YEAR ACTIVITIES** (Tape 4)

(BACs) Chairman Hanley referred the Board to a written update on the activities approved by the Board on March 18, 2002, in celebration of the twentieth anniversary of the decision to downzone part of the Occoquan Watershed to help protect the County's water supply. Displays will be in the tents of both the Department of Planning and Zoning and the Department of Public Works and Environmental Services during this weekend's Celebrate Fairfax festival and staff is preparing an informational brochure that will be available.

Chairman Hanley said that as part of the celebration, the Board will be honoring those members of County staff, other agencies, and community members who helped make that effort possible, as well as current stewards of the watershed. This will take place at the July 22, 2002, Board meeting, the date closest to the downzoning approval of July 26, 1982. There will also be a proclamation placed in the Atrium to commemorate the event.

Chairman Hanley stated that the Board approved the formation of a New Millennium Occoquan Watershed Task Force to look at current challenges and how the water quality can continue to be maintained. She distributed a list of the

following representatives who had been appointed by their respective agencies/organizations to serve on that task force:

- Department of Planning and Zoning – Mr. Noel Kaplan
- Department of Public Works and Environmental Services – Mr. Jeff Blackford
- Fairfax County Health Department – Mr. Dennis Hill
- Fairfax County Park Authority – Mr. Irish Grandfield
- Fairfax County Water Authority – Ms. Jeanne M. Bailey
- Northern Virginia Regional Commission – Mr. David Bulova
- Northern Virginia Soil and Water Conservation District – Ms. Mary Nightlinger
- Northern Virginia Regional Park Authority – Mr. Mike Riesenman
- Upper Occoquan Sewer Authority – Dr. Evelyn Mahieu
- Audubon Naturalist Society (Webb Sanctuary) – Mr. Cliff Fairweather
- Occoquan Watershed Coalition – Dr. David Schnare
- League of Women Voters of the Fairfax Area – open
- Fairfax County Federation of Citizens Associations – Ms. Maya Huber
- Friends of the Occoquan – Mr. Alex Vanegas
- Supervisor Sharon Bulova – Ms. Jean Packard
- Supervisor Michael Frey – open
- Supervisor Elaine McConnell – open

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board request Mr. Al Akers of the Occoquan Watershed Coalition to chair the task force. Without objection, it was so ordered.

A brief discussion ensued.

26. **PEDESTRIAN SAFETY** (Tape 4)

Chairman Hanley announced that she had received a letter from Doug Duncan County Executive, Montgomery County, Maryland. His County is launching a major pedestrian safety initiative in an effort to reduce the number of pedestrian fatalities and injuries in the County. Montgomery County is concentrating on the three "E's – engineering, enforcement, and education. Citing the severity of the problem by noting that 1,900 pedestrians were injured or killed in the Washington Metropolitan area in 2000, he is asking Fairfax County to join him in raising awareness about pedestrian safety throughout the region. She distributed copies of his letter and attachments.

Accordingly, Chairman Hanley moved that the Board direct staff to:

- Prepare a letter for her signature accepting Mr. Duncan's request.
- Prepare for the Board a summary of County efforts to reduce pedestrian fatalities including a progress report with respect to the Transportation Advisory Commission's recommendations on pedestrian safety.
- Review the bus stops in the County, both for the Connector Bus and Metrobus, to be sure that they are in the safest possible locations.

Supervisor Connolly seconded the motion.

Following discussion, Vice-Chairman Hanley relinquished the Chair to Acting-Chairman Kauffman and amended the motion to direct staff to report with this information at the next meeting (June 17), and this was accepted.

Acting-Chairman Hyland returned the gavel to Vice-Chairman Hyland.

Following further discussion, Supervisor Hyland asked to amend the motion to direct staff to draft a letter for the Chairman's signature to send to the Virginia Department of Transportation to ask about planned improvement to intersections and the expected timetable for when the improvements will be made. This was accepted.

Following continued discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion, as amended, which carried by unanimous vote.

27. **RECOGNITION OF THE McLEAN HIGH SCHOOL CREW TEAM**
(Tape 4)

Chairman Hanley noted that her written Board Matter on the McLean High School Crew Team would be presented by Supervisor Mendelsohn.

(NOTE: Later in the meeting, there was further discussion and Board action on this item. See Clerk's Summary Items CL#34 and CL#42.)

28. **FEDERAL PAYMENTS IN LIEU OF TAXES (PILT) PROGRAM** (Tape 4)

Chairman Hanley called the Board's attention to a memorandum from the National Association of Counties regarding the federal PILT Program and asking the Board to draft a letter in support of not cutting its funding. Accordingly, she asked unanimous consent that the Board direct staff to determine what a PILT reduction is liable to be for the County and to prepare a draft letter for her signature to be sent prior to June 10, 2002. Without objection, it was so ordered.

29. **HEALTH SYSTEMS AGENCY BOARD OF NORTHERN VIRGINIA**
(Tape 4)

(BACs) Chairman Hanley informed the Clerk that there are two members of the Health Systems Agency Board of Northern Virginia whose terms are expiring June 30, 2002. She indicated that those expiration should be included in the next appointments agenda item. She noted that Mr. Charles Smith is ineligible for reappointment, but Dr. Sarah John can be reappointed.

30. **COMMISSION TO REVIEW EDUCATION INVESTMENT** (Tape 4)

(BACs) Chairman Hanley asserted that it is appropriate to create a commission to review education spending and future investment, with a particular focus on ensuring appropriate compensation of teachers. She noted that she would be presenting this at the next Board meeting and she asked Board Members to share discussion and suggestions on this idea.

Noting that several jurisdictions have revenue sharing agreements between their Boards of Supervisors and their School Boards, Chairman Hanley asked unanimous consent that the Board direct staff to survey the jurisdictions and share copies of those revenue sharing agreements. Without objection, it was so ordered.

(NOTE: Later in the meeting there was discussion of and further action on this item. See Clerk's Summary Item CL#32.)

31. **EMERGENCY RESPONSE AND PREPAREDNESS AND TRAINING OF VOLUNTEERS** (Tape 4)

Chairman Hanley stated that on May 30, 2002, US Attorney General John Ashcroft met with the members of several police departments in the region

including Fairfax County's, to honor individuals in the Volunteers in Police Service (VIPS).

Chairman Hanley asked unanimous consent that the Board direct staff to work with Volunteer Fairfax on the County's version of "Citizens Corps" and provide an update at the next Board meeting. Volunteer Fairfax is assembling a database of volunteers that can be tapped in the event of an emergency situation. Without objection, it was so ordered.

32. **COMMISSION TO REVIEW EDUCATION INVESTMENT** (Tape 4)

(BACs) (NOTE: Earlier in the meeting this item was presented. See Clerk's Summary Item CL#30.)

With reference to the Commission to Review Education Investment, Supervisor Connolly raised the issue of a mechanism for ensuring representation or input both to and from State legislators.

Supervisor Mendelsohn suggested to broaden the scope of this commission beyond just revenues and perhaps have the School Division to enlist outside help to review its budget and change its budget development.

Following further discussion regarding revenue sharing agreements and a projected School Division budget deficit for next year, Supervisor Hudgins suggested that the budget process be reviewed and developed continually.

Supervisor Bulova suggested that the Board include the business community in discussions and also review how schools are funded outside the Commonwealth across the nation.

Supervisor McConnell suggested a review of fiscal autonomy of School Boards.

Following further discussion, Supervisor Kauffman suggested reviewing capital funding for the Schools.

Following further discussion, Chairman Hanley stated that she had read in a newspaper editorial that someone pointed out the Board had only budgeted \$11.4 million for school construction. She noted for the record the \$136.3 million in bond sales for this purpose.

Chairman Hanley asked unanimous consent that the Board direct staff to provide, along with the previously requested information, a review as to how schools are funded for jurisdictions nationwide with Triple A bond ratings and whether those school divisions have taxing authority. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

33. **RETIREMENT OF PRINCIPALS FROM THE DRANESVILLE DISTRICT** (Tape 5)

Supervisor Mendelsohn announced that two principals from the Dranesville District have announced their retirement from Fairfax County Public Schools:

- Dr. Beverly Morrison from Dranesville Elementary School
- Mr. David W. Culp from Forestville Elementary School

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite these two individuals to appear before the Board on June 17, 2002, along with other retiring principals, for appreciation and recognition of their outstanding careers. Without objection, it was so ordered.

34. **MCLEAN HIGH SCHOOL GIRLS' CREW TEAM** (Tape 5)

(NOTE: Earlier in the meeting this item was mentioned. See Clerk's Summary Item CL#27.)

Supervisor Mendelsohn announced that the McLean High School Girls' crew team won a first place gold medal in the Scholastic Rowing Association National Championship races which were held in Oak Ridge, Tennessee on May 24 and 25, 2002.

To recognize the accomplishment of these McLean High School crew members and their coach Jim Mitchell, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite them to appear before the Board in the near future. Without objection, it was so ordered.

(NOTE: Later in the meeting there was additional information regarding the team. See 10b.)

35. **EXPEDITIOUS AND CONCURRENT PROCESSING FOR THE ROKEBY SUBDIVISION SUBMITTED BY LAMONT DUPONT** (Tape 5)

Supervisor Mendelsohn said that Mr. Lammot DuPont is the owner of a nine acre, R-1 zoned parcel located at Tax Map 3 1-2 ((1)), parcel 96. While he has the right under the R-1 zoning to pursue a more intense development, Mr. DuPont is ready to submit plans for a three-lot subdivision on this nine acre parcel and requests expedited and concurrent processing of his preliminary and final subdivision plans.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to expeditiously proceed with concurrent processing of the preliminary and final

subdivision plans for the Rokeby Subdivision submitted by Mr. Lamont DuPont. This motion does not relieve the applicant from compliance with the provision of any and all applicable ordinances, regulations, or adopted standards. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

36. **PARKING FACILITIES AT THE WEST FALLS CHURCH METRO STATION** (Tape 5)

Supervisor Mendelsohn said that the Washington Metropolitan Area Transportation Authority (WMATA) is developing plans to expand its parking facilities at the West Falls Church Metro Station. The existing surface parking lot accommodates 1,064 vehicles, and the proposed five-level parking structure would add approximately 800 spaces. After public hearings, WMATA expects to award a construction contract by the end of this year. However, during the construction period, which could be 15 to 18 months in duration, over 500 of the existing parking spaces will be lost. It is essential that alternative parking be secured for the patrons of the West Falls Church Metro Station before this project commences.

Therefore, Supervisor Mendelsoshn moved that the Board direct staff to immediately begin working with WMATA staff to provide for adequate alternative parking locations during the construction of the parking garage at the West Falls Church Metro Station and to provide for transportation from those locations to the station, if necessary. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

37. **REZONING APPLICATION RZ 2000-DR-053** (Tape 5)

Supervisor Mendelsohn said that in April of last year, the Board approved Rezoning Application RZ 2000-DR-053 for a project in McLean known as Civic Place. This approval rezoned 2.27 acres to the PDC District to allow a mixed-use development with residences, retail and offices, and met the Comprehensive Plan and the design and guidelines for the McLean Revitalization District. As part of the approval, the Board modified the requirement that the residential component of a PDC District be less than 50 percent of the overall gross floor area.

Supervisor Mendelsohn said that the developers of Civic Place, currently known as Waterford of McLean, now wish to convert some of the office space to residential space. The proposal will not change the architectural or urban design concept of the project, nor will it increase the approved number of residential units. However, this request would increase the proportion of residential gross floor area in the PDC District to approximately 90 percent. Therefore, while this proposal is a minor modification in the mix of uses that would normally be accomplished through a proffered condition amendment, a rezoning to the PRM District is the appropriate vehicle to make the proposed change to this project.

Supervisor Mendelsohn said that the applicant has worked very closely with the McLean Planning Committee on this project over the last month as well and this project is a key element to the revitalization of downtown McLean. In an effort to avoid unnecessary delay to the construction of this previously approved project, he said that it is important that the review of this case is expedited

Therefore, Supervisor Mendelsohn moved that the Board:

- Authorize that Rezoning/Final Development Plan Application RZ/FDP 2002-DR-019 be expedited with a public hearing to be held before the Planning Commission on September 19, 2002, and before the Board on September 23, 2002.
- Direct the Director of the Department of Public Works and Environmental Services to concurrently process the site plan for this project.

This motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards. Supervisor Connolly seconded the motion and it carried by unanimous vote.

38. **REQUEST SUPPORT FOR EXPEDITING SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-V-88-064-3 (PROGRESO HISPANO)** (Tape 5)

Supervisor Hyland said that Progreso Hispano, an organization which evolved from one of Good Shepherd Church's programs to foster US Citizenship, English-speaking and leadership skills to represent their communities on various commissions and boards, is seeking to amend Special Exception Amendment Application SEA 88-V-064-2 to use a portion of the former Home Economics Building of the former Walt Whitman Intermediate School site for its programs.

Supervisor Hyland pointed out that currently the Head Injury Services Partnership uses this building for its treatment programs for adults with brain injuries. Progreso Hispano is seeking to utilize unused space within the building for its programs. These programs would be taking place during the evenings and weekends, when the Head Injury Service Partnership facility is closed. County requirements specify that applications on property owned by a party other than the applicant require the endorsement of the property owner (which in this case is the Board) before such an application can be heard.

Therefore, Supervisor Hyland moved that the Board:

- Endorse filing of a special exception amendment for this property and to permit Progreso Hispano to act as agent for the application.

- Direct staff to concurrently process any plans and permits associated with the application and expedite the public hearing schedule for Special Exception Amendment Application SEA 88-V-064-3 located at 4100 Mohawk Lane.

This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor Kauffman seconded the motion and it carried unanimous vote.

(NOTE: Later in the meeting additional action was taken on this item. See Clerk's Summary Item CL#85.)

39. **ROUTE ONE/OLD COLCHESTER ROAD INTERSECTION** (Tape 5)

Supervisor Hyland said that the Virginia Department of Transportation (VDOT) project to widen Richmond Highway (Route One) between Telegraph Road and Lorton Road in Mount Vernon District was to have been advertised for bids in January 2002. However, VDOT was unable to advertise the project on schedule because Fort Belvoir has not completed its processing of an outgrant application to provide approximately 0.7 acre of property transfer (0.677 acre fee take and 0.675 acre temporary easement) in the vicinity of Old Colchester Road needed to construct the project. Although VDOT has been coordinating with Fort Belvoir on the outgrant since 1997, several issues have been recently raised by the Fort regarding the design of Old Colchester Road, which is adjacent to historic Pohick Church, as it approaches Richmond Highway. While Pohick Church has indicated that it is very satisfied with the VDOT design, a poll of the membership of the Mason Neck Citizens Association indicated support of the design, and the Board has endorsed the plans, Fort Belvoir has continued to question the design on Old Colchester Road.

Supervisor Hyland noted that Fort Belvoir's delay in completing the outgrant has proven to be particularly damaging to the project due to VDOT's current financial problems. Of necessity, VDOT has been forced to prioritize funding for projects already under construction or ready to go to construction. Because of the uncertainty over when the outgrant issue will be resolved, VDOT has delayed funding to the Route One project for four years in the tentative Fiscal Years 2003-2008 VDOT Six-Year Improvement Program.

Supervisor Hyland said that Fort Belvoir in the past month has hired a consultant to prepare a report on Old Colchester Road for submission to the Keeper of the National Register so that a determination of eligibility for placement on the National Register of Historic Places can be obtained. VDOT, County, Federal Highway Administration, and Virginia State Historic Preservation Officer staff do not believe that this is a necessary, or even a reasonable pre-condition of the outgrant process since all parties including Fort Belvoir have agreed to treat Old

Colchester Road as eligible for listing in the National Register of Historic Places for the purpose of the analysis of the environmental impacts of this project.

In an attempt to provide closure in the outgrant process and move construction of this project forward, Supervisor Hyland moved that the Board direct staff to:

- Look for opportunities within the Tentative VDOT Six-Year Improvement Program to fund construction of this project prior to Fiscal Year 2006 as currently shown.
- Inform Fort Belvoir that the Board strongly objects to the Fort's continued delay in completing the outgrant and to the resulting delay in construction of this important project.
- Request Fort Belvoir to conclude the outgrant process expeditiously.

Supervisor Kauffman seconded the motion and it carried by unanimous vote.

40. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)
DEMOLITION FUNDS SOUGHT FOR RICHMOND HIGHWAY
WIDENING PROJECT NUMBER THREE** (Tape 5)

Supervisor Hyland referred to his written Board Matter which indicates that the final list of VDOT "Selected Fairfax County Projects for Proposed 2003-2008 Six-Year Program" is to be finalized during the June 20, 2002, meeting of the Commonwealth Transportation Board. Selected roads stated on that list will either remain on the list to "construct"; remain on the "Development List" (funded for preliminary engineering, design, and right of way acquisition); be put on the "Delay" list; or be on the "Eliminated" list.

Supervisor Hyland said that Project Three - Route One - Lorton Road to Telegraph Road remains on the "Development List" and the properties have been purchased, utilities have been moved and re-installed. On some of these VDOT rights-of-way there remains vacant dwellings, a defunct gas station; a dilapidated house with a make-shift built store; a former restaurant/take out and a dilapidated one story stucco building.

Supervisor Hyland said that this project is on the VDOT proposed delay construction list for the next 54 months. Therefore, Supervisor Hyland moved that the Board direct staff to request the Virginia Department of Transportation to raze these hazardous buildings and eliminate what is already a blighted condition on Route One. Supervisor Hudgins seconded the motion.

Following input from Anthony H. Griffin, County Executive, Supervisor Hyland amended the motion to include the property on the blight list, and this was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote.

41. **NOMINATION OF MR. DAVID BENDER TO THE FAIRFAX-FALLS COMMUNITY SERVICES BOARD (CSB)** (Tape 5)

(BACs) Noting that nominations to the CSB must be announced in advance of the actual appointment, Supervisor Hyland provided notice of his intent to nominate Mr. David Bender as Mount Vernon District Representative for appointment to the CSB at the next Board meeting scheduled for June 17, 2002.

42. **MCLEAN HIGH SCHOOL GIRLS' CREW TEAM** (Tape 5)

(NOTE: Earlier in the meeting this team was discussed. See Clerk's Summary Item CL#27 and CL#34.)

Supervisor Mendelsohn noted that the McLean High School Girls' Crew Team will represent Virginia and the nation in England at the end of the month.

43. **WESTMINSTER BUILDERS CLUB OF WESTMINSTER SCHOOL** (Tape 5)

Supervisor Gross said that the Westminster Builders Club of Westminster School, is a philosophy and a pledge by over 60 seventh and eighth graders to make the world a better place for all. These young people have just been notified that they will receive a Daily Points of Light Award for providing over 1,500 hours in community services to the Center for Multicultural Human Services and Fairfax County.

In recognition of their extraordinary leadership efforts, Supervisor Gross moved that the Board direct staff to invite members of the Westminster Builders Club, and other appropriate individuals appear before the Board to receive a proclamation at its July 1, 2002, meeting. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

44. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 01-M-041** (Tape 5)

Supervisor Gross announced her intent later in the meeting, at the appropriate time, to defer the public hearing on Special Exception Application SE 01-M-041 for KFC of America.

(NOTE: Later in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#78.)

45. **HOLIDAY FOR COUNTY EMPLOYEES JULY 5, 2002** (Tape 5)

Supervisor Gross said it was announced recently that Governor Warner has declared July 5 a holiday for State employees. State courts as well as Fairfax County Courts will be closed that day. The Employees Advisory Council (EAC) asks that the Board follow suit and grant July 5 a holiday for County employees.

Therefore, Supervisor Gross moved that the Board grant July 5, 2002, as a holiday for Fairfax County employees. Supervisor Bulova seconded the motion and it carried by unanimous vote.

46. **FAIRFAX COUNTY LICENSE PLATE** (Tape 5)

Supervisor Gross announced that Virginia drivers have only a few more weeks to reserve the Fairfax County license plate featuring the County coat-of-arms and the motto "Home of the Bill of Rights." For more information please call 703-324-2531 or visit www.fairfaxcounty.gov/today/plate.htm.

Supervisor Gross encouraged everyone to sign up.

(NOTE: Later in the meeting the Board made another announcement about this license plate. See Clerk's Summary Item CL#58.)

47. **SPOTLIGHT BY STARLIGHT CONCERT SERIES** (Tape 5)

Supervisor Gross announced that the Spotlight by Starlight concert series began on June 2, 2002. She said that there are concerts every Sunday, Wednesday, and Friday at 7:30 p.m. and on Saturdays at 10 a.m. for the children's programs.

(NOTE: Later in the meeting the Board announced other concert programs. See Clerk's Summary Items CL#48, CL#58, CL#59, and CL#64.)

48. **NOTTOWAY NIGHTS CONCERT SERIES** (Tape 5)

Supervisor Connolly announced the newest concert series "Nottoway Nights" is at Nottoway Park every Thursday in the Summer starting June 6, 2002, at 7:30 p.m.

Supervisor Connolly asked unanimous consent that the Board direct staff to further advertise the concert series. Without objection, it was so ordered.

49. **CAPITAL ONE – NORTHERN VIRGINIA HEADQUARTERS ROAD NAME CHANGE** (Tape 5)

Supervisor Connolly said that Capital One undertook an exhaustive search throughout Northern Virginia for their regional headquarters, including evaluating sites in Alexandria, Arlington, Prince William, and Loudoun. Capital One is one of the largest employers in the Commonwealth.

Supervisor Connolly said that Capital One has now requested Board approval in renaming its private entrance road from "Innovative Place" to "Capital One Drive." This is a private roadway within a landlocked triangle that serves only the Capital One campus. This roadway leads from Scott's Crossing Road and is completely located within the Capital One campus. The road starts and dead ends on the site and will not lead to any other campus or building. This roadway was designed, funded, constructed and will be maintained by Capital One, at no expense to the public.

To alleviate concerns of staff, Capital One has committed that it will notify the County well in advance of any corporate name change (for example, through acquisition or merger and/or any other event) which would inspire a name change to this private roadway. Capital One is assuring the County that it does not have any plans that would affect the name of this street. Capital One is proud to be in Fairfax County and Tysons and wants an address that reflects its presence and commitment to remain here. In conclusion, due to the unique circumstances of this land bay, Capital One's request to rename "Innovative Place" to "Capital One Drive" is reasonable.

Therefore, Supervisor Connolly moved that the Board direct the staff to rename the private road now designated "Innovative Place" to "Capital One Drive." Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

50. **UNITED STATES IN THE JAPAN BOWL** (Tape 5)

Supervisor Connolly said that Michael Waine, Anahita Schacht, and Shannon Egan of the Level IV Japanese class at Oakton High School won second place in the United States in the Japan Bowl, beating Thomas Jefferson School for Science and Technology. The Japan Bowl is a competition similar to "Its Academic," but in Japanese. It is hosted by the Japan American Society of Washington and held in Washington, DC. All 50 states are invited to participate, and 37 competed this year. The students were coached by their teacher Ms. Suga Carney and are all graduates of the Japanese Immersion Program.

Supervisor Connolly moved that the Board direct staff to invite Mr. Michael Waine, Ms. Anahita Schacht, Ms. Shannon Egan and Ms. Suga Careny to appear before the Board to be recognized for this achievement. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

51. **AMERICA'S NATIONAL SCHOOL SAFETY PATROL LIFESAVER** (Tape 5)

Supervisor Connolly said that Greg Whitaker, a six grader at Fairhill Elementary School, has won the highest award given to a safety patrol member, the American Automobile Association's National School Safety Patrol Lifesaver Award. The award is given to individuals who while on patrol save the life of a person in

imminent danger. Greg, while on duty, was walking a first grade student home and foiled a kidnapping. He noted the suspect's vehicle and the license number. After seeing the first grader home safely, he reported the incident to Fairhill Principal Janis Paushter. He later gave a statement to the police.

Supervisor Connolly moved that the Board direct staff to invite Greg Whitaker and Dr. Paushter to appear before the Board to be recognized. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

52. **COX – DIGITAL CONVERSION** (Tape 5)

Supervisor Connolly said that a constituent contacted his office with concerns regarding Cox's handling of the digital conversion. According to this constituent, who is elderly, he had to disconnect his old cable box himself, take his box to a mobile van a block and a half away, and wait outside for hours in the chilly weather to get a new cable box. He also had to install it himself. The constituent mentioned that while he was capable of doing what he did, many of his friends who are also elderly are not. This constituent also mentioned that he was never informed of any services that Cox Communications offers to help individuals that need such assistance.

Supervisor Connolly moved that the Board direct the Department of Cable Communications and Consumer Protections to:

- Review the existing procedures concerning digital conversions and enter into discussion with Cox Communications with solutions to better inform citizens of their options and how they can access assistance
- Report to the Board the favorable results.

Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Bulova being out of the room.

53. **BUILDABLE LOT REQUIREMENTS** (Tape 5)

Supervisor McConnell said that a number of constituents have brought to her attention an issue drastically affecting the current status of their properties. These concerns are the result of the subdivision of parcels, by previous property owners, in a manner not subject to review and approval by the County in accordance with the subdivision procedures. As a result of this action, these parcels are considered unbuildable lots, even though homes have been located on them for many years. This status renders the current homeowners helpless in attempting to gain permits to build an addition or construct a deck. It could even prevent the homeowner from reconstructing the current residence if destroyed by fire or natural causes. These parcels would otherwise meet the buildable lot requirements if previous

owners had filed with the County in accordance with the subdivision approval requirements.

Supervisor McConnell said that a thorough review of this issue, by staff, has failed to identify a process allowing for the validation of these parcels as buildable lots.

Therefore, Supervisor McConnell moved that the Board direct staff to prepare all necessary proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and the Public Facilities Manual to expand the provisions for validation of lots, to include those lots which met the requirements of the Zoning Ordinance at the time of their creation, but did not meet the requirements of the Subdivision Ordinance. Supervisor Frey seconded the motion.

Chairman Hanley clarified that the proposed amendment would apply to those whose lots meet the existing requirements if they had gone through the process.

The question was called on the motion, as clarified, and it carried by unanimous vote.

54. **GREENBRIAR HOMEOWNERS' ASSOCIATION SITE PLAN FEE WAIVER** (Tape 5)

Supervisor McConnell said that the Greenbriar Homeowners' Association is a 501(c)(4) organization based upon the Internal Revenue Service's finding that the association is a nonprofit civic league operating exclusively for the promotion of social welfare. The Greenbriar Homeowners' Association wants to expand its community center parking lot in the near future to better serve the community's needs, and it will be required as part of these plans to file a site plan and a related soil report with the County. The County assesses fees, pursuant to the Zoning Ordinance, for processing the site plan and soil report that total \$2,900. The Zoning Ordinance additionally states that the fees associated with the processing of a site plan may be waived by the Board for good cause shown, a provision that has been applied by this Board to waive such fees in the past in appropriate circumstances.

Supervisor McConnell said that the Board should endorse a waiver of fees associated with the Greenbriar Homeowners' Association's plans to expand its parking facilities since the organization is operating on a nonprofit basis, solely for the promotion of the community's needs, and is not in a financial position to pay the fees that would otherwise be assessed by the County for the processing of the site plan and soil report.

Therefore, Supervisor McConnell moved approval of a waiver of all fees associated with the Greenbriar Homeowners' Association's application to expand its community center parking lot for good cause shown. Supervisor Frey seconded the motion.

Following input from David P. Bobzien, County Attorney, the question was called on the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

55. **SPRINGFIELD DAYS** (Tape 5)

Supervisor McConnell announced that she enjoyed the wonderful parade that was held during Springfield Days.

(NOTE: Later in the meeting this item was mentioned. See Clerk's Summary Item CL#66.)

NV:nv

56. **WORLD ODYSSEY OF THE MIND COMPETITION** (Tape 6)

Supervisor Frey announced that the Bull Run Elementary School's Odyssey of the Mind teams won awards in the Odyssey of the Mind World Finals held May 22-25, 2002, in Boulder, Colorado. Team A won first place in Division 2 and Team B placed tenth within the Division 1 category. Accordingly, he moved that the Board direct staff to invite team members and coaches to appear before the Board for recognition of this excellent achievement. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

57. **BRADDOCK DISTRICT TOWN MEETING ON CLEAN AIR** (Tape 6)

Supervisor Bulova announced that on June 19, 2002, at 7:30 p.m. she will be hosting a Braddock District Town Meeting on the subject of clean air. She had previously hosted a town meeting on this topic in the fall of 1993, not long after the Clean Air Act of 1990 had been passed and regions throughout the United States received designations describing their air quality. The local region of Baltimore, suburban Maryland, Washington, DC, and the Northern Virginia area was designated *Serious*.

Supervisor Bulova stated that during the last ten years, the region has struggled to improve its air quality. She noted that much of the "bad" air is transported ("blown in") from neighboring states, where power plants and heavy industry cause pollution, but this area also suffers from air polluting traffic congestion and other practices that contribute to the fouling of the local air. She indicated that the air quality has improved, but projections for continuing improvement may not be enough to meet Environmental Protection Agency guidelines. She said that leaders in the area fear that the designation may soon shift from *Serious* to *Severe*. That new designation could trigger some difficult sanctions and result in a loss of precious transportation dollars.

Supervisor Bulova said that whether someone's particular interest is transportation, environment, or health and human services, this town meeting should be informative and helpful. She extended an invitation to everyone to attend. For more information, interested citizens should contact the Braddock District Office at 703-425-9300.

(NOTE: Later in the meeting, Supervisor Bulova presented further information about this meeting. See Clerk's Summary Item CL#58.)

58. **BRADDOCK BYLINE, THE BRADDOCK DISTRICT NEWSLETTER**
(Tape 6)

(NOTE: Earlier in the meeting the Board announced summer concert series. See Clerk's Summary Items CL#48 and CL#49.)

(NOTE: Earlier in the meeting the Board announced a panel discussion on clean air. See Clerk's Summary Item CL#57.)

(NOTE: Earlier in the meeting the Board announced the Fairfax County License Plate. See Clerk's Summary Item CL#46.)

Supervisor Bulova announced the recent distribution of her newsletter, the *Braddock Byline*. On the back of the newsletter she had indicated that Chairman Hanley would participate in a panel discussion on clean air at the town meeting, but she recently learned that the Chairman is already scheduled for another meeting. Supervisor Bulova announced that she is trying to find a representative from Senator Jeffords' office to speak because he introduced legislation in the Senate that would help the region on the issue of the importation of bad air. The Board is on record in support of the companion bill from the House of Representatives.

Supervisor Bulova also pointed out that the newsletter contains a schedule for *Braddock Nights*, the free summer concert series on Fridays at 7:30 p.m. both at Lake Accotink and Royal Lake.

Supervisor Bulova noted that the newsletter contained an advertisement for the Fairfax County license plate which needs additional support before the June 30, 2002, deadline.

(NOTE: Later in the meeting the Board announced additional summer concert series. See Clerk's Summary Items CL#59 and CL#64.)

59. **SUMMER CONCERTS IN HUNTER MILL DISTRICT** (Tape 6)

Supervisor Hudgins announced that the Town Center, Lake Anne, and Hunters Woods Centers are the sites for summer concerts on Saturdays, Wednesdays, and Thursdays, respectively.

60. **RECOGNITION OF THE HUNTER MILL DISTRICT SENIORS AND LAW ENFORCEMENT TOGETHER (SALT) COUNCIL** (Tape 6)

(NOTE: Earlier in the meeting the Board took action regarding grant funding for the Triad Crime Prevention Program Grant. See Clerk's Summary Item CL#16.)

Supervisor Hudgins referred to a Board Agenda Item presented earlier in the meeting regarding a Triad grant. Local triads were created in 1995 to reduce criminal victimization of older citizens and enhance law enforcement service delivery to them.

Supervisor Hudgins announced the organization of the first SALT Council in the Hunter Mill District. The SALT Council consists of senior adult volunteers and representatives from Triad who work to educate the community, develop and implement programs to increase safety, and address concerns of seniors. Her written Board Matter listed the composition of the Hunter Mill District SALT Council in terms of the senior residents of the district and professional agency representation.

To commemorate this important accomplishment, Supervisor Hudgins said that representatives from the participating organizations have been invited to sign a proclamation on June 11 to officially show their commitment to the program. Accordingly, she moved that the Board direct staff to invite members of the Hunter Mill District SALT Council to appear before the Board to be recognized for their contribution in organizing the SALT Council. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

61. **RECOGNITION OF GOLD'S GYM** (Tape 6)

Supervisor Hudgins stated that the Department of Community and Recreation Services is successfully partnered with Gold's Gym – Herndon, which has provided services and funds for the Reston-Herndon Senior Program at the Reston-Herndon Senior Center. This partnership allows Gold's Gym to provide two qualified instructors to facilitate the program on a weekly basis for one hour. The class is composed of a series of exercises designed to increase strength, balance, and flexibility. This has been a pilot program since November and without Gold's Gym as a partner, the cost would have been \$13,000.

Accordingly, Supervisor Hudgins asked unanimous consent that the Board invite representatives from Gold's Gym to appear before the Board to be recognized for their outstanding service to the Reston-Herndon Senior Center and the County. Without objection, it was so ordered.

62. **RECOGNITION OF RESTON GYMNAST GLYN SWEETS** (Tape 6)

Supervisor Hudgins stated that Ms. Glyn Sweets, a Reston resident, participated in the recent National Junior Olympics and took first place in gymnastics.

Accordingly, Supervisor Hudgins moved that the Board direct staff to invite Ms. Sweets to appear before the Board to be recognized for her outstanding accomplishment at the National Junior Olympics. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

63. **PLAYGROUND AT FRYING PAN PARK** (Tape 6)

Supervisor Hudgins announced that on June 1, 2002, she attended the celebration of the opening of the new playground at Frying Pan Park. A new public-private partnership with Katydid Incorporated and Covanta allowed for the installation of the playground.

64. **LEE DISTRICT NIGHTS** (Tape 6)

(NOTE: Earlier in the meeting the Board announced other summer concert series. See Clerk's Summary Items CL#47, CL#48, CL#58, and CL#59.)

Supervisor Kauffman announced the first Lee District Nights concert program will be held on Wednesday, June 5, 2002.

65. **GROUNDBREAKING CEREMONY FOR PARKING EXPANSION AT FRANCONIA-SPRINGFIELD METRO STATION** (Tape 6)

Supervisor Kauffman announced a groundbreaking ceremony on June 4, 2002, for the new 1000-space parking expansion at the Franconia-Springfield Metro Station. Governor Warner and Congressman Moran are expected to attend.

66. **SPRINGFIELD PLAZA CARNIVAL** (Tape 6)

(NOTE: Earlier in the meeting the Board discussed the *Springfield Days* event. See Clerk's Summary Item CL#55.)

Supervisor Kauffman noted that there was an incident involving one of the rides at the Springfield Plaza carnival over the weekend. He asked unanimous consent that the Board direct staff to provide a report on the incident, including the inspection process and any additional action staff believes necessary to guard against a recurrence of this type of incident.

Following discussion, with input from Anthony H. Griffin, County Executive, without objection, the request was so ordered.

67. **REOPENING OF FORT BELVOIR'S TELEGRAPH ROAD/BEULAH STREET** (Tape 6)

Jointly with Supervisor Hyland, Supervisor Kauffman noted that after over eight months of community applied pressure, the Army has agreed to reopen Fort Belvoir's Telegraph Road/Beulah Street access to vehicles with Department of

Defense decals. This successfully completes the first part of a two-part program necessary to relieve the traffic gridlock created when the Army chose to close a vitally needed state roadway connecting Telegraph Road and Route One.

Supervisor Kauffman asked unanimous consent that the Board direct staff to prepare a letter to Senator Warner, Congressman Davis and Congressman Moran to:

- Commend them for their efforts to make this reopening happen.
- Again urge these leaders to proceed with the second part of this program, securing needed Federal funding to build a “bypass” roadway linking Telegraph Road and Route One along an extension of Old Mill Road as shown in the County’s Comprehensive Plan. The Board has already gone on record requesting this funding.

Without objection, it was so ordered.

Supervisor Kauffman provided copies of a media release on the road reopening.

68. **SOUTH COUNTY CENTER** (Tape 6)

Supervisor Kauffman invited fellow Board Members and members of the community to the ribbon cutting ceremony that will formally open the South County Center on Saturday, June 15, 2002, from 10 a.m. to 2 p.m. The South County Center is located at 8350 Richmond Highway.

Supervisor Kauffman further noted that in an effort to better serve the residents of the Richmond Highway area, he was opening a Lee District satellite constituent service office in the South County Center. Beginning June 19, 2002, the satellite office will be staffed on Wednesdays from 9 a.m. to 1 p.m. by Jeff McKay.

Supervisor Kauffman expressed appreciation to the following contributing partners for their donations to this special event: Pfizer Company, Rent-All Center, Fairfax County Federal Credit Union, and the Mount Vernon/Lee Chamber of Commerce.

Supervisor Kauffman also thanked in advance all the County staff members who have worked so hard to ensure the opening will be a success. Special recognition is owed to Doug Hanson of the Department of Transportation who has worked tirelessly with the Virginia Department of Transportation and staff from his office and Supervisor Hyland’s office to ensure that a traffic signal and pedestrian safeguards will be in place to ensure safe access to the new Center.

69. **CANCER RELAY FOR LIFE** (Tape 6)

Supervisor Hudgins announced that the Relay for Life event in the Northern Virginia area to raise funds for cancer research will kick off at South Lakes at 1 p.m. on Saturday, June 8, and end Sunday morning.

70. **RECESS/CLOSED SESSION** (Tape 6)

At 12:20 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).
 - 1. Proposed Settlement Agreement Between Covanta Fairfax, Inc., and Virginia Electric and Power Company d/b/a Dominion Virginia Power (Countywide)
 - 2. State Water Control Board Enforcement Action, Consent Special Order Issued to Fairfax County Board of Supervisors for Noman M. Cole, Jr., Pollution Control Plant (VPDES Permit No. VA0025364) (Mount Vernon)
 - 3. *Robert and Sara Jane DiGiovanni v. Crossfields Homeowners Association, Inc., and the County of Fairfax*, In Chancery No. 174782 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 - 4. *Zofia A. Zager, Director, Office of Building Code Services, Department of Public Works and Environmental Services, and the Building*

Official of Fairfax County, Virginia v. Rukhsana Khalid, a/k/a Rukshana Khalid, In Chancery No. 177844 (Fx. Co. Cir. Ct.) (Braddock District)

5. *Richard M. Robertson v. The Board of Supervisors of Fairfax County, et al., In Chancery No. 160618 (Fx. Co. Cir. Ct.) (Dranesville District)*
6. In Re: Appeal of Fairfax County Office of Building Code Services (Il Cigno Restaurant) Appeal No. 01-13 (State Building Code Technical Review Board) (Hunter Mill District)
7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Mohammad H. Sultany, Gulmakai Sultany, and Gul M. Sultany, In Chancery No. 178034 (Fx. Co. Cir. Ct.) (Lee District)*
8. *Board of Supervisors of Fairfax County, Virginia v. Jasey B. Briley, et al., At Law No. 204373 (Fx. Co. Cir. Ct.) (Mason District)*

and in addition:

- Board of Supervisors of Fairfax County, Virginia versus Governors Run LP aka Governors Run LP and Airston Group Three Incorporated, At Law Number 201904
- Proposed Zoning Ordinance Amendment, Vehicle Parking in Front Yards of Single Family Detached Dwellings
- Cox Cable Franchise Agreement

Supervisor Hyland seconded the motion.

Chairman Hanley announced that should this motion carry, closed session would begin at 1 p.m. and run concurrently with the closed session of the Solid Waste Authority.

The question was called on the motion, which carried by unanimous vote.

PW:pw

At 3:25 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTION FROM CLOSED SESSION

71. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (Tape 7)

(BACs) Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session of the Solid Waste Authority session was convened were heard, discussed, or considered by the Authority during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

AGENDA ITEM

72. **SPECIAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (Tape 7)

(NOTE: Earlier in the meeting additional action was taken on this item. See Clerk's Summary Item CL#24.)

At 3:25 p.m. Chairman Hanley reconvened the special meeting of the Fairfax County Solid Waste Authority.

Supervisor Hyland moved that the Solid Waste Authority approve a settlement agreement between Covanta Fairfax, Incorporated, and Virginia Electric and Power Company d/b/a Dominion Virginia Power in accordance with the terms and conditions outlined by the County Attorney in closed session. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

At 3:30 p.m., Supervisor Hyland moved to adjourn the special meeting of the Solid Waste Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

ADDITIONAL ACTIONS FROM CLOSED SESSION**73. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION (Tape 7)**

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

74. APPROVAL OF SETTLEMENT AGREEMENT BETWEEN COVANTA FAIRFAX, INCORPORATED, AND VIRGINIA ELECTRIC AND POWER COMPANY D/B/A/ DOMINION VIRGINIA POWER (Tape 7)

Supervisor Hyland moved that the Board approve a settlement agreement between Covanta Fairfax, Incorporated, and Virginia Electric and Power Company d/b/a Dominion Virginia Power in accordance with the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion, which carried by unanimous vote.

75. AUTHORIZATION OF THE CONSENT SPECIAL ORDER IN THE STATE WATER CONTROL BOARD ENFORCEMENT ACTION FOR NOMAN M. COLE, JR., POLLUTION CONTROL PLANT (Tape 7)

Supervisor Hyland moved that the Board authorize the Consent Special Order in the State Water Control Board Enforcement Action for Noman M. Cole, Jr., Pollution Control Plant, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion, which carried by unanimous vote.

AGENDA ITEMS**DS:ds****76. 3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-D-084 (VERIZON VIRGINIA, INCORPORATED) (DRANESVILLE DISTRICT) (Tape 8)**

(NOTE: At its April 29, 2002, meeting the Board deferred the public hearing on this item until June 3, 2002.)

The application property is located at 755 Walker Road, Tax Map 13-1 ((1)) 26.

Ms. Sheri L. Hoy reaffirmed the validity of the affidavit for the record.

Ms. Hoy had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Fran Burnszynski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Special Exception Amendment Application SEA 85-D-084, subject to the development conditions dated April 9, 2002.
- Modification of the transitional screening requirements along all boundaries of the property.
- Waiver of the barrier requirement along the western property boundary.

Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

77. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2001-MA-049 (SEVILLE HOMES, LLC) (MASON DISTRICT)** (Tape 8)

- (O) The application property is located in the northeast and southeast quadrants of the intersection of Evergreen Lane and Alpine Drive, Tax Map 71-2 ((2)) 27-29; 71-2 ((4)) 4 - 6.

Mr. Reid M. Dudley reaffirmed the validity of the affidavit for the record.

Mr. Dudley had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, William Mayland, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MA-049,

from the C-2, R-2, HC, and SC Districts to the PDH-5, HC, and SC Districts, subject to the proffers dated May 30, 2002.

- Waiver of the frontage improvements for Alpine Drive in accordance with the Conceptual and Final Development plans.

Supervisor Mendelsohn seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

78. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-041 (KFC OF AMERICA, INCORPORATED) (MASON DISTRICT)** (Tape 8)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 01-M-041 until **June 17, 2002, at 3 p.m.** Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

79. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2001-HM-052 (KEYSTONE LLC) (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Hudgins moved to defer the public hearing on Rezoning Application RZ 2001-HM-052 until **July 22, 2002, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

80. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING VEHICLE PARKING IN FRONT YARDS FOR SINGLE FAMILY DETACHED DWELLINGS** (Tapes 8-9)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 16 and May 23, 2002.

Supervisor Bulova noted there was a typing error in the Planning Commission recommendation, bullet number two, which should read: "**on the ground**," not underground.

Discussion ensued with input from Jane W. Gwinn, Zoning Administrator, Zoning Administration Division (ZAD), Department of Planning and Zoning (DPZ), and Lorrie E. Kirst, Deputy Zoning Administrator, Ordinance Administration Branch, ZAD, DPZ.

Following the public hearing, which included testimony by seven speakers, Ms. Kirst presented the staff and Planning Commission recommendations.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding vehicle parking in front yards for single family detached dwellings, as recommended by the Planning Commission. Supervisor Kauffman seconded the motion.

Further discussion ensued with input from Fred Rose, Chief, Stormwater Management Branch, Department of Public Works and Environmental Services; Ms. Gwinn, and Ms. Kirst.

The question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Hudgins and Supervisor Mendelsohn voting "NAY," Supervisor Frey being out of the room.

81. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S01-CW-1CP FOR THE TELEGRAPH ROAD CORRIDOR, LOCATED SOUTH OF INTERSTATE 95/INTERSTATE 495 AND NORTH OF BEULAH STREET (LEE DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 16 and May 23, 2002.

Discussion ensued with input from Marianne R. Gardner, Chief, Policy and Plan Development Branch (PPD), Department of Planning and Zoning (DPZ); and Edward Schreiner, Planner II, PPD, DPZ.

Following the public hearing, which included testimony by two speakers, Mr. Schreiner presented the staff and Planning Commission recommendation.

Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S01-CW-1CP, as modified by the Planning Commission on May 29, 2002, with the following change: Bullet RH6 - delete the first paragraph which is stated again in a subsequent paragraph. Supervisor Hyland and Supervisor Mendelsohn jointly seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hudgins, and Supervisor McConnell, being out of the room.

82. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-DR-056 (JOHN E. COLEMAN, J. SCOTT TUCKER, LUKE L. GUARISCO, TRUSTEES FOR THE LAURA LEA GUARISCO TRUST III) (DRANESVILLE DISTRICT)** (Tape 9)

(O) The application property is located on the south side of Linway Terrace, approximately 200 feet west of Kirby Road, Tax Map 31-3 ((1)) 157.

Mr. Keith Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Mavis Stanfield, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-DR-056, be amended from the R-1 District to the R-2 District, subject to the proffers dated May 2, 2002. Supervisor Bulova and Supervisor Gross jointly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

83. **4 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON A SEGMENT OF HAYFIELD ROAD (ROUTE 4193) (LEE DISTRICT)**
(Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 16 and May 23, 2002.

Following the public hearing, Supervisor Kauffman moved adoption of the Ordinance and Order vacating and abandoning a segment of Hayfield Road. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

84. **4 P.M. – PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 3904 BRUCE LANE (MASON DISTRICT)** (Tapes 9-10)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 16 and May 23, 2002.

Following the public hearing, which included testimony by three speakers, discussion ensued with input from David P. Bobzien, County Attorney.

Supervisor Gross moved:

- Adoption of the Ordinance declaring 3904 Bruce Lane blighted, constituting a nuisance.
- Approval of the blight abatement plan for 3904 Bruce Lane, Tax Map Number 060-4-((3))-0043.

Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

ADDITIONAL BOARD MATTERS

85. **REQUEST SUPPORT FOR EXPEDITING SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-V-88-064-3 (PROGRESO HISPANO)** (Tape 10)

(NOTE: Earlier in the meeting additional action was taken on this item. See Clerk's Summary Item CL#38.)

Supervisor Hyland moved that the Board waive the fees for permitting for Special Exception Amendment Application SEA 88-V-88-064-3. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

86. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY ROADS PUBLIC HEARING** (Tape 10)

Chairman Hanley announced that the VDOT Secondary Roads public hearing will be held at the next Board meeting.

87. **RECOGNITION OF BOY SCOUT'S** (Tape 10)

Chairman Hanley recognized the presence of Boy Scouts from Troop 1131, Saint Stephen's Methodist Church, and warmly welcomed them to the Board Auditorium.

88. **BOARD ADJOURNMENT** (Tape 10)

At 5:30 p.m., the Board adjourned.

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